

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has added new claims 11-13. Thus, claims 1-13 are now pending in the application. In response to the Office Action, Applicant respectfully submits that the pending claims define patentable subject matter.

Claims 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bending et al. (WO 00/46697; hereafter "Bending"). Applicant respectfully traverses the rejection.

Independent Claims 1, 9 and 10

The Examiner concedes Bending does not disclose overriding a browser function when a hang-up event has occurred but asserts that:

because Bending et al. teaches the ability to suspend the browsing function and disconnect unit 100 from internet server 222, it would not matter whether or not the browser was hung or merely suspended by choice. Once the unit is disconnected from server 222, it is an effective reset of the browser function without resetting the actual unit 100. Moreover, since this is an effective reset, it would correct the browser hang-up event if one existed. Therefore, it still would have been obvious for one of ordinary skill in the art at the time the invention was made to have specifically contemplated a browser hang-up event that the unit of Bending et al. would override, inasmuch as the invention of Bending et al. would already override the browser function no matter what the situation was.¹

However, Applicant respectfully submits that the Examiner's position in this regard is incorrect. In particular, Bending teaches that automatic call module is a component of the browser which instructs the telephony unit to disconnect from the local server and establish a

telephone connection in response to user selection of the automatic call button displayed on the website (see page 10, lines 11-19). Thus, if a browser hang-up event has occurred which blocks operation of the browser, the browser would be unable to instruct the telephony unit to disconnect from the local server (i.e., the browser would not be responsive to operation of the automatic call button and browser operation could not be suspended).

The Examiner further asserts that:

anyone who uses a Windows-based computer knows how to perform a ctrl-alt-del function wherein if that combination of buttons is pressed, the option to access a "Task Manager" appears, through which a user can end any application including hung-up applications. This is a common experience that even the examiner and likely, many computer users have had. Yet, this does not reset the entire computer, only the desired application which could be a browser. Implementing the same sort of functionality on a mobile device would be obvious for one of ordinary skill in the art as well inasmuch as the trend of mobile telephones is to replicate the features of PDAs and computers and even some mobile telephones have Windows-based or Windows-like operating systems, providing even more motivation for such functionality.²

However, Applicant respectfully submits that Bending does not teach or suggest a detector for detecting whether a browser hang-up event has occurred, and automatically generating the overrule signal upon the detection of the browser hang-up event, as required by amended claims 1, 9 and 10. See first full paragraph on page 10 of the present application.

Accordingly, Applicant respectfully submits that independent claims 1, 9 and 10, as well as dependent claims 2-5, should be allowable because the cited reference does not teach or suggest all of the features of the claims.

¹ December 28, 2004 Office Action at pages 3-4.

² December 28, 2004 Office Action at page 4.

Independent Claim 6

With regard to independent claim 6, the Examiner refers to the rejection of dependent claim 2 wherein the Examiner asserts that:

Bending et al. teaches various embodiments/ways to implement the override function/automatic call module 140, one of which is to use JAVA applets. JAVA applets allow a browser to download a program or some functionality (via a browser, such as browser 130) at the time it is to be used. Because JAVA applets reside on a server, read as the claimed network-unit, in the Internet network, browser 130 transmits some signal to the website/server requesting the JAVA applet in response to the above-discussed invocation of module 140. In response, the server, sends a response signal to amend browsing, which in this instance is the actual JAVA applet sent to unit 100 to allow for browsing to be cancelled/suspended so that a telephony call can be made. (P. 24, line 23 - P. 29, line 8, P. 30, lines 14 - 25).

However, in Bending, the Java applet is downloaded from the website/server when the browser initially retrieves the website data (i.e., the Java applet is downloaded along with the other webpage data when the website is first accessed) rather than in response to user operation/invocation of the automatic call module. See page 26, lines 4-5 and page 26, line 24 - page 27, line 2. Thus, Bending does not teach or suggest a network-unit comprising a transmitter unit for sending a response signal to the terminal for correcting the browser hang-up event in response to an information signal which is sent from the terminal in response to generation of an overrule signal, as required by claim 6.

Further, Bending's Java applet is manipulated by the user on the client device, as Java applets are downloaded onto the client and executed there. This is different from claim 6 which is directed to a system wherein a network-unit directly sends a signal to the terminal (client device) to reset the browser. Whereas the Java applet is simply being downloaded over the

network, or possibly pushed to the client device, and then the user may suspend the browser with it, in claim 6 the network-unit is directly controlling the client to reset its browser with no user interaction. One cannot construe the operation of the Java applet as “transmitting an information signal to a network-unit” as claimed, because the applet is executed locally on the client. In order to have claim 6 read on Bending, one would have to construe the instruction to load the page with the applet as that transmission, in response to which the network-unit would send the applet.

Accordingly, Applicant respectfully submits that independent claim 6, as well as dependent claims 7 and 8, would not have been rendered obvious in view of Bending because the cited reference does not teach or suggest all of the features of the claims.

New Claims 11-13

By this Amendment, Applicant has added new dependent claims 11-13 to further define the claimed invention. Applicant respectfully submits that Bending does not teach or suggest the subject matter of these claims, i.e., “wherein said overrule signal is one of a memory address signal supplied to said memory, or a processor control signal supplied to said processor which generates said memory address signal supplied to said memory in response to said processor control signal, and said memory generates a predetermined network address signal to be transmitted to said network in response to said memory address signal.”

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Patent Application No. 09/974,836

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Christopher R. Lipp
Registration No. 41,157

Date: March 28, 2005

Attorney Docket No.: Q66094